

FORM PTO-1390 MODIFIED	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER 4662-84
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.8) 10/554,293
INTERNATIONAL APPLICATION NO. PCT/NL2004/000300	INTERNATIONAL FILING DATE 3 May 2004	PRIORITY DATE CLAIMED 1 May 2003
TITLE OF INVENTION PROCESS FOR THE PRODUCTION OF BIOLOGICAL SUBSTANCES BY PERFUSION CULTURING OF SUSPENDED ANIMAL CELLS		
APPLICANT(S) FOR DO/EO/US POL, VAN DER et al		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. 2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input type="checkbox"/> The U.S. has been elected (Article 31). 5. A copy of the International Application as filed (35 U.S.C. 371(c)(2)). a. <input type="checkbox"/> WO 2004/097006 is attached hereto (pages specification, claims & abstract (claims), sheets drawings). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> is attached hereto (pages specification, claims & abstract (claims), sheets drawings, page Certificate of Translation). b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. a. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). b. <input type="checkbox"/> Declaration was submitted to the International Bureau during International Phase (see copies of Declaration (page Form PCT/RO/101 and Form PCT/IB/371 and first page of printed publication acknowledging receipt thereof attached). 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). Items 11 To 20 below concern document(s) or information included: 11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included. 13. a. <input type="checkbox"/> A FIRST preliminary amendment. b. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 14. <input type="checkbox"/> An Application Data Sheet under 37 C.F.R. § 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A change of power of attorney and/or address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825. 18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 20. <input type="checkbox"/> Other items or information.		

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) 10/554,293			INTERNATIONAL APPLICATION NO. PCT/NL2004/000300			ATTORNEY'S DOCKET NUMBER 4662-84		
<input type="checkbox"/> The following fees are submitted:								
BASIC NATIONAL FEE (37 C.F.R. 1.492(a)(1)-(5):								
21. <input type="checkbox"/> Basic national fee						\$300.00 (1631)/\$150.00 (2631)	\$	
22. <input type="checkbox"/> Examination Fee.....						\$0 (1643/2643)	\$	
.....						\$200.00 (1633)/\$100.00 (2633)		
23. <input type="checkbox"/> Search Fee						\$0 (1640/2640)		
.....						\$100 (1641)/\$50 (2641)		
.....						\$400 (1642)/\$200 (2642)		
.....						\$500.00 (1632)/\$250.00 (2632)	\$	
TOTAL OF ABOVE CALCULATIONS							\$	0.00
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.								
Total Sheets		Extra Sheets		Number of each additional 50 or fraction thereof (round up to a whole number)		RATE		
0 -100		0 /50 =		0.00		\$0.00 (1681) \$0.00 (2681)		
Surcharge of \$130.00 (1617)/\$65.00 (2617) for furnishing the oath or declaration later than <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(e)).								
CLAIMS		NUMBER FILED		# EXTRA		RATE		
Total Claims		10 minus 20 =		0 X		\$50.00 (1615)/ \$25.00 (2615)		
Independent Claims		1 minus 3 =		0 X		\$200.00 (1614) \$100.00 (2614)		
MULTIPLE DEPENDENT CLAIMS(S) (if applicable)						\$360.00 (1616)/\$180.00 (2616) \$ 0.00		
Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s): One Month Extension \$120.00 (1251)/\$60.00 (2251); Two Month Extensions \$450.00 (1252)/\$225.00 (2252); Three Month Extensions \$1020.00 (1253)/\$510.00 (2253); Four Month Extensions \$1590.00 (1254)/\$795.00 (2254)								
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.								
Processing fee of \$130.00 (1618) , for furnishing the English Translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(f)).								
TOTAL NATIONAL FEE =						\$	0.00	
Fee for recording the enclosed assignment (37 C.F.R. 1.21(h). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 (8021) per property								
TOTAL FEES ENCLOSED =						\$	0.00	
Amount to be refunded:								
Amount to be Charged:								

- a. ☐ A check in the amount of \$0.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. 14-1140 in the amount of \$_____ to cover the above fees.
A duplicate copy of this form is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-1140. A duplicate copy of this form is enclosed.
- d. ☐ **CREDIT CARD PAYMENT FORM ATTACHED.**
- e. ☐ The entire content of International Application No. **PCT/NL2004/000300** and any U.S. and foreign application(s) corresponding thereto, and _____, referred to in this application is/are hereby incorporated by reference in this application.

NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b) must be filed and granted to restore the application to pending status.

CORRESPONDENCE ADDRESS

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Bryan H. Davidson

NAME

30,251

REGISTRATION NUMBER

January 12, 2006

Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

POL, VAN DER et al

Atty. Ref.: 4662-84

Serial No. 10/554,293

TC/A.U.: Unassigned

Filed:

Examiner: Unassigned

For: PROCESS FOR THE PRODUCTION OF BIOLOGICAL SUBSTANCES
BY PERFUSION CULTURING OF SUSPENDED ANIMAL CELLS

* * * * *

January 12, 2006

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT

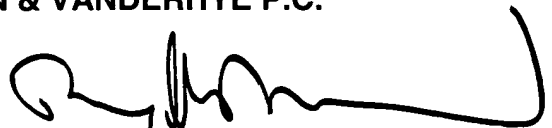
As suggested by 37 C.F.R. 1.97, the undersigned attorney brings to the attention of the Patent and Trademark Office the references listed on the attached form PTO/SB/08a, a copy of which each non-U.S. reference is enclosed. This is not to be construed as a representation that a search has been made or that no better prior art exists, or that a reference is relevant merely because cited. A copy of the International Search Report is also enclosed.

The Examiner is requested to initial the attached form PTO/SB/08a and to return a copy of the initialed document to the undersigned as an indication that the attached references have been considered and made of record.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By:



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Sheet 1 of 1

**INFORMATION DISCLOSURE
CITATION**

ATTY. DOCKET NO.

4662-84

SERIAL NO.

10/554,293

APPLICANT

POL, VAN DER et al

(Use several sheets if necessary)

FILING DATE

TC/A.U.

Unassigned

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5,372,943	12/13/1994	INLOW et al			
	5,378,612	01/03/1995	NAKASHIMA et al			

FOREIGN PATENT DOCUMENTS

DOCUMENT	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO

OTHER DOCUMENTS (including Author, Title, Date, Pertinent pages, etc.)

	International Search Report
	Laurent R.J. ESCLADE et al; "Influence of the Screen Material on the Fouling of Spin Filters"; Biotechnology and Bioengineering, Vol. 38, pp. 159-168 (1991)
	Michiyuki TOKASHIKI et al; "High density culture of hybridoma cells using a perfusion culture vessel with an external centrifuge"; Cytotechnology 3, pp. 239-244, 1990
	Kentaro SAKAI et al, "Use of Nonionic Surfactants for Effective Supply of Phosphatidic Acid in Serum-Free Culture of Chinese Hamster Ovary Cells", Journal of Bioscience and Bioengineering, Vol. 92, No. 3, pp. 256-261, 2001

*Examiner

Date Considered

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application.